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# TRANSMITTAL FORM

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Total Number of Pages in This Submission

3

Application Number

10/609,385

Filing Date

July 1, 2003

First Named Inventor

DOWNING, STEPHEN W.

Group Art Unit

3734

Examiner Name

Nguyen, Vi X.

Attorney Docket Number

UOMB-001DIV

## ENCLOSURES (check all that apply)



Fee Transmittal Form



Fee Attached



Amendment / Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Documents

Response to Missing Parts/  
Incomplete ApplicationResponse to Missing Parts  
under 37 CFR 1.52 or 1.53Assignment Papers  
(for an Application)

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional ApplicationPower of Attorney, Revocation  
Change of Correspondence  
Address

Terminal Disclaimer



Request for Refund



CD, Number of CD(s)

Remarks

After Allowance Communication  
to GroupAppeal Communication to Board  
of Appeals and InterferencesAppeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please  
identify below):Response to Restriction Requirement  
dated 10.12.06 (2 pgs.)

Return Postcard

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Signing Attorney/Agent  
(Reg. No.)GERI N. ROCHINO, 58,147  
BOZICEVIC, FIELD & FRANCIS, LLP

Signature

Geri N. Rochino

Date

November 1, 2006

EXPRESS MAIL LABEL NO. EV687 640 465US

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Express Mail No. **EV687 640 465US**

<b>RESPONSE TO RESTRICTION REQUIREMENT</b>  Address to: Mail Stop Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Docket No.	UOMB-001DIV
	Application No.	10/609,385
	Confirmation No.	9385
	Filing Date	July 1, 2003
	Examiner	Nguyen, VI X
	Group Art Unit	3734

Sir:

This communication is submitted in response to the Office Action mailed October 12, 2006, which set a one month period for response. Accordingly, this response is timely filed on or before November 12, 2006.

The Examiner has set out a Restriction Requirement, and required election of one of the following groups of claims:

- Group I      Claims 1-15, drawn to a cardiac port for insertion through a wall of a heart chamber including a housing, a valve and an inlet connects to the housing, classified in class 606, subclass 228;
- Group II     Claims 30-37, 41-47, 54-55 and 48-53, drawn to a method for performing mitral valve annuloplasty, classified in class 623, subclass 2.36;
- Group III    Claims 38-40, drawn to a system for performing annuloplasty including staples, suture or a band of material to be stapled to a mitral valve, classified in class 623, subclass 2.38.

Applicant hereby elects to prosecute the claims of Group III, Claims 38-40, without traverse.

The Applicant expressly reserves the right under 35 USC §121 to file a divisional application directed to the non-elected subject matter or any subject matter disclosed in this application during the pendency of this application.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number UOMB-001DIV.

Respectfully submitted,  
BOZICEVIC, FIELD & FRANCIS LLP

Date: 11-1-06

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